

Manuel Cabrera Alejandre  
 PLAINTIFF/PETITIONER/MOVANT'S NAME  
 # 09376 -097  
 PRISON NUMBER  
 San Diego Detention Center (CCA)

PLACE OF CONFINEMENT

P O Box 939049  
 San Diego Ca. 92143  
 ADDRESS

**FILED**

JAN 15 2008

CLERK, U.S. DISTRICT COURT  
 SOUTHERN DISTRICT OF CALIFORNIA  
 BY *[Signature]* DEPUTY

2254	1983	✓
FILING FEE PAID		
Yes	No	✓
HPP MOTION FILED		
Yes	No	✓
COPIES SENT TO		
Court	ProSe	✓

United States District Court  
 Southern District Of California

'08 CV 0092 JLS RBB

Manuel Cabrera Alejandre  
 Plaintiff/Petitioner/Movant

v.  
 Mr. Fred Lawrence Warden:  
 Mr. Lt. Hindstedt; Medical  
 Department, Defendant/Respondent

Civil No. \_\_\_\_\_

(TO BE FILLED IN BY U.S. DISTRICT COURT CLERK)

**MOTION AND DECLARATION UNDER  
 PENALTY OF PERJURY IN SUPPORT  
 OF MOTION TO PROCEED IN FORMA  
 PAUPERIS**

I, declare that I am the Plaintiff/Petitioner/Movant in this case. In support of my request to proceed without prepayment of fees or security under 28 U.S.C. § 1915, I further declare I am unable to pay the fees of this proceeding or give security because of my poverty, and that I believe I am entitled to redress.

**In further support of this application, I answer the following question under penalty of perjury:**

1. Are you currently incarcerated?  Yes  No (If "No" go to question 2)

If "Yes," state the place of your incarceration *San Diego Correctional Facility*

Are you employed at the institution?  Yes  No

Do you receive any payment from the institution?  Yes  No

[Have the institution fill out the Certificate portion of this affidavit and attach a certified copy of the trust account statement from the institution of your incarceration showing at least the last six months transactions.]

*Yes I did includ that.*

2. Are you currently employed?  Yes  No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

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b. If the answer is "No" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

My last employment was on 1989, I was take-home £ 300.00. Employers name. Felipe Cabrera. Address, unknown.

3. In the past twelve months have you received any money from any of the following sources?:

- a. Business, profession or other self-employment  Yes  No
- b. Rent payments, royalties interest or dividends  Yes  No
- c. Pensions, annuities or life insurance  Yes  No
- d. Disability or workers compensation  Yes  No
- e. Social Security, disability or other welfare  Yes  No
- e. Inheritance Locan  Yes  No
- f. Spousal or child support  Yes  No
- g. Any other sources  Yes  No

If the answer to any of the above is "Yes" describe each source and state the amount received and what you expect you will continue to receive each month.

I got a locan from my brother Jose Cabrera Alejandro: no more.

4. Do you have any checking account(s)?  Yes  No

- a. Name(s) and address(es) of bank(s): \_\_\_\_\_
- b. Present balance in account(s): \_\_\_\_\_

5. Do you have any savings/IRA/money market/CDS' separate from checking accounts?  Yes  No

- a. Name(s) and address(es) of bank(s): \_\_\_\_\_
- b. Present balance in account(s): \_\_\_\_\_

6. Do you own an automobile or other motor vehicle?  Yes  No

- a. Make: \_\_\_\_\_ Year: \_\_\_\_\_ Model: \_\_\_\_\_
- b. Is it financed?  Yes  No
- c. If so, what is the amount owed?

7. Do you own any real estate, stocks, bonds, securities, other financial instruments, or other valuable property?

Yes  No

If "Yes" describe the property and state its value. \_\_\_\_\_

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8. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

*N/A.*

9. List any other debts (current obligations, indicating amounts owed and to whom they are payable):

*N/A.*

10. List any other assets or items of value (specify real estate, gifts, trusts inheritances, government bonds, stocks, savings certificates, notes, jewelry, artwork, or any other assets [include any items of value held in someone else's name]):

*N/A.*

11. If you answered all of the items in #3 "No," and have not indicated any other assets or sources of income anywhere on this form, you must explain the sources of funds for your day-to-day expenses.

*I am under custody So. The Prison  
Provide me with food and clothes.*

I declare under penalty of perjury that the above information is true and correct and understand that a false statement herein may result in the dismissal of my claims.

*1-10-2008*

DATE

*Maud Cabrone*

SIGNATURE OF APPLICANT

If you are a **prisoner** you **must** have an officer from your institution provide this official certificate as to the amount of money in your prison account. **There are no exceptions to this requirement.**

**PRISON CERTIFICATE**  
**(Incarcerated applicants only)**  
 (To be completed by the institution of incarceration)

I certify that the applicant Cubrena-Alexander, Marcel,  
 (NAME OF INMATE)

09376-097,  
 (INMATE'S CDC NUMBER)

has the sum of \$ 50<sup>00</sup> on account to his/her credit at  
San Diego Correctional Facility,  
 (NAME OF INSTITUTION)

I further certify that the applicant has the following securities N/A  
 to his/her credit according to the records of the aforementioned institution. I further certify that during  
 the past six months the applicant's *average monthly balance* was \$ 20<sup>00</sup>,  
 and the *average monthly deposits* to the applicant's account was \$ 20<sup>00</sup>.

**ALL PRISONERS MUST ATTACH A CERTIFIED COPY OF THEIR TRUST ACCOUNT STATEMENT SHOWING TRANSACTIONS FOR THE SIX-MONTH PERIOD IMMEDIATELY PRECEDING THE FILING OF THE COMPLAINT PER 28 U.S.C. § 1915(a)(2).**

1-8-08

DATE

R. Rivera  
 SIGNATURE OF AUTHORIZED OFFICER OF INSTITUTION

R. Rivera  
 OFFICER'S FULL NAME (PRINTED)

Unit Manager  
 OFFICER'S TITLE/RANK

**TRUST ACCOUNT WITHDRAWAL AUTHORIZATION**  
**(Incarcerated applicants only)**

(This form **MUST** be completed by the prisoner requesting to proceed in forma pauperis. An incomplete "Trust Account Withdrawal Authorization Form," or "Prison Certificate" will result in automatic denial of the prisoner's request to proceed in forma pauperis.)

I, Manuel Cabrera #09376-097, request and authorize the agency holding me in  
(Name of Prisoner/ CDC No.) custody to prepare for the Clerk of the United States District Court for the Southern District of California, a certified copy of the statement for the past six months of my trust fund account (or institutional equivalent) activity at the institution where I am incarcerated.

I further request and authorize the agency holding me in custody to calculate and disburse funds from my trust fund account (or institutional equivalent) pursuant to any future orders issued by the Court relating to this civil action pursuant to the Prison Litigation Reform Act of 1995, Pub. L. No. 104-134, Title VIII, §§ 801-10, 110 Stat. 1321 (1996).

This authorization is furnished in connection with a civil action filed in the Southern District of California, and I understand that, pursuant to 28 U.S.C. §§ 1914 and 1915(b)(1), the total amount of filing fees for which I am obligated is either • \$150 (civil complaint) or • \$5 (habeas corpus petition) (check one). I also understand that this fee will be debited from my account regardless of the outcome of this action. This authorization shall apply to any other agency into whose custody I may be transferred.

1 - 10 - 2008

DATE

Manuel Cabrera

SIGNATURE OF PRISONER

**Inmate Account Summary Report**  
**San Diego Correctional Facility**

Today's Date: 01/08/2008

Page 1 of 2

Last Name	First Name	Middle Name	Affix	Booking#	Trans Date/Time	Trans Type	Amount	Code	Check#	Deposit From/Withdrawal To	CR Bal	Receipt #	Rev?
CABRERA-ALEXANDER	MANUEL			998699	07/31/2007 14:16	Deposit	20.10	CK		UNITED STATES TREASURY	20.10	0.00	5488353
Authorizing Employee:	VBeimu									Document Locator Number:	30753642		
Authorizing Employee:	MONF26				08/29/2007 13:09	Withdrawal	-3.38	CO		COMMISSARY SUMMARY POSTING	16.72	0.00	5772594
Authorizing Employee:	MLEYBA				08/31/2007 15:15	Deposit	100.00	MO	MAIL	J. CABRERA	116.72	0.00	5787182
Authorizing Employee:	MONF26				09/06/2007 13:32	Withdrawal	-11.49	CO		COMMISSARY SUMMARY POSTING	105.23	0.00	5838830
Authorizing Employee:	FGERAC				09/13/2007 07:46	Withdrawal	-5.00	CO		COMMISSARY SUMMARY POSTING	100.23	0.00	5915727
Authorizing Employee:	MONF26				09/20/2007 08:29	Withdrawal	-9.68	CO		COMMISSARY SUMMARY POSTING	90.55	0.00	5984013
Authorizing Employee:	MONF26				09/26/2007 09:25	Withdrawal	-10.81	CO		COMMISSARY SUMMARY POSTING	79.74	0.00	6037124
Authorizing Employee:	HBANUE				10/04/2007 07:19	Withdrawal	-11.78	CO		COMMISSARY SUMMARY POSTING	67.96	0.00	6106791
Authorizing Employee:	HBANUE				10/11/2007 07:20	Withdrawal	-14.52	CO		COMMISSARY SUMMARY POSTING	53.44	0.00	6182418
Authorizing Employee:	HBANUE				10/18/2007 07:24	Withdrawal	-15.98	CO		COMMISSARY SUMMARY POSTING	37.46	0.00	6251039
Authorizing Employee:	FGERAC				10/25/2007 07:23	Withdrawal	-11.42	CO		COMMISSARY SUMMARY POSTING	26.04	0.00	6314370
Authorizing Employee:	HBANUE				11/02/2007 07:00	Withdrawal	.74	CRV		COMMISSARY SUMMARY REVERSAL	26.78	0.00	6321003
Authorizing Employee:	HBANUE									Document Locator Number:		COMMISSARY SUMMARY REVERSAL	

**Inmate Account Summary Report**  
**San Diego Correctional Facility**

Today's Date: 01/08/2008

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Last Name	First Name	Middle Name	Affix	Booking#
CABRERA-ALEXANDERZ	MANUEL			998599

Trans Date/Time	Trans Type	Amount	Code	Check#	Deposit From/Withdrawal To	Curr Bal	CR Bal	Receipt #	Rev?
11/08/2007 07:14	Withdrawal	-11.50	CO		COMMISSARY SUMMARY POSTING	0.94	0.00	6439562	
	<b>Authorizing Employee:</b> FGERAC				Document Locator Number:	COMMISSARY SUMMARY POSTING			
12/26/2007 16:18	Deposit	20.00	MO	MAIL	GUADALUPE	20.94	0.00	6894981	
	<b>Authorizing Employee:</b> VBertru				Document Locator Number:	11574560790			
12/27/2007 11:56	Withdrawal	-16.93	CO		COMMISSARY SUMMARY POSTING	4.01	0.00	6922870	
	<b>Authorizing Employee:</b> FGERAC				Document Locator Number:	COMMISSARY SUMMARY POSTING			
01/02/2008 14:59	Deposit	50.00	MO	MAIL	JOSE CABRERA	54.01	0.00	69861263	
	<b>Authorizing Employee:</b> MLEYBA				Document Locator Number:	08814265825			
01/04/2008 07:15	Withdrawal	-4.01	CO		COMMISSARY SUMMARY POSTING	50.00	0.00	6984781	
	<b>Authorizing Employee:</b> FGERAC				Document Locator Number:	COMMISSARY SUMMARY POSTING			

Total Withdrawals	-140.10
Total Deposits	190.10